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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,624	12/26/2001	Terry Bruce	15584.1	1108

22913 7590 07/29/2005

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EXAMINER

LE, TAN

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/019,624	Applicant(s) BRUCE, TERRY	
	Examiner Tan Le	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 11-15 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 3-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the sixth office action for serial number 10/019,624. This application contains claims 1-15, 20 and 21-22. Claims 16-19 were previously canceled. Claims 21-22 have been added by the amendment filed 7/12/05.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/12/05, which has been entered.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-2, 20 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by GB Patent No. 2,326,082 to Giles.

As to claim 1, Giles teaches a universal hose clamp comprising a universal hose locating mechanism comprising a first locking mechanism which moves between locked and unlocked position, the first locking mechanism comprising a handle (80) and a pin (74) having a first axis (82), wherein the handle rotates relative to the pin in the plane of the pin to move the first locking mechanism between the locked and unlocked position; a securing means (40, 42, 22); a hose coupling (83) being configured to have unlimited rotational movement about the first axis.

As to claim 2, the universal hose locating mechanism further comprises a second locking mechanism (toggle clamp 30) which moves between a locked and unlocked position wherein in the unlocked position, the hose coupling has unlimited rotational movement about a second axis (axis of rod 7, same axis 83) that is substantially perpendicular to the first axis.

As to claim 20, Giles teaches a hose locating mechanism includes a first and second locking mechanisms as described above which move between locked and unlocked positions, a securing means for securing said locating mechanism to a support structure; a hose coupling, the hose coupling can be connected in such a way that allows unlimited rotational movement about an axis in a horizontal plane if oriented the universal locating mechanism 90 degrees angle.

Claims 21 and 22 recited limitations similar to those recited in claims 1-2 and 20 are therefore also read on Giles.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giles in view of US Patent No. 3,603,539 to Clegg, Jr. and further in view of US Patent No. 3,856,245 to Byerly.

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Regarding claims 11-14, Giles lacks teaching of the hose coupling further comprises the gripping aid, a mounting band wherein the gripping aid is made of flexible material comprising rubber, and is cylindrical in shape.

Clegg, Jr teaches a soft hose clamp for holding a hose affixed to any vertical braces and Byerly teaches the gripping aid being made out of flexible material namely rubber in order to deform and to press hard against the pipe, as well as, to provide frictionally hold while preventing damages to the pipe.

One skilled in the art would have been motivated to use the holes coupling of Clegg, Jr. with the rubber gripping aid of Byerly in place of the hose coupling of Giles because Byerly teaches that the rubber can be pressed hard against the pipe to provide tightly secure as well as to minimize the damages to the pipe.

Regarding claim 15, Giles as modified also teaches a hose securing means being a screw thread mechanism (e).

Allowable Subject Matter

5. Claims 3-10 is objected to, but would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1-15 and 20-22 have been considered but are moot in view of the new ground of rejection.

Applicant's amendment with respect to claims 1 and 20 and added newly claims 21-22 have been considered. However, these claims are still rejected as being anticipated by Giles.

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Applicant's amendment has overcome Howell. The rejection over Howell is there no longer applied.

Conclusion

This action is made **non-Final**.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818. The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan le
July 20, 2005.



ANITA KING
PRIMARY EXAMINER